

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LONNITA FLEETWOOD,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of the Social
Security Administration,

Defendant.

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Case No. CIV-04-1299-M

ORDER

On September 29, 2005, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation [docket no. 17] in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of Defendant Commissioner of the Social Security Administration's ("Commissioner") final decision denying Plaintiff's application for disability insurance benefits under 42 U.S.C. §§ 416(i) and 423 and supplemental security income benefits under 42 U.S.C. § 1382c(a)(3). Magistrate Judge Erwin recommends that the Commissioner's decision be affirmed. The parties were advised of their right to object to the Report and Recommendation by October 3, 2005. Plaintiff timely filed her objections.


In her objections Plaintiff asserts that the Magistrate Judge did not adequately consider her argument that the Administrative Law Judge ("ALJ") erred by failing to recognize all of her diagnosed impairments as severe, and erred in concluding that the ALJ adequately explained his credibility determination. Having carefully reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's objections, and the administrative record, the Court finds that the Report and Recommendation accurately states the relevant law, fairly represents the facts contained in the administrative record, and correctly analyzes the interconnection between the two. The Court

further finds that the Magistrate Judge adequately considered all of Plaintiff's arguments and did not err in concluding that the ALJ adequately explained his credibility determination.

Accordingly, upon *de novo* review, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by Magistrate Judge Erwin on September 13, 2005;
- (2) AFFIRMS the Commissioner's denial of Plaintiff's application for both disability income benefits, and supplemental security income benefits; and
- (3) ORDERS that judgment in favor of the Commissioner issue forthwith.

IT IS SO ORDERED this 24th day of October, 2005.



VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE